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HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 9th June, 2025

No.13037—HUD-TP-POLICY-0006/2022/HUD.— Whereas, the draft of the Odisha Town Planning and Improvement Trust (Planning and Building Standards) Second Amendment Rules, 2025 was published as required under section 127 of the Odisha Town Planning and Improvement Trust Act, 1956 in the Extraordinary issue No.722, dated the 25th March, 2025 under the Notification of the Government of Odisha in the Housing & Urban Development Department No.6900, dated the 25th March, 2025 inviting objections and suggestions from all persons to be affected thereby, till the expiry of a period of 15 days from the date of publication of the said Notification in the *Odisha Gazette*.

And, whereas, objections or suggestions received in respect of the said draft have been duly considered by the State Government

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (3) of Section 125 of the Odisha Town Planning and Improvement Trust Act, 1956, the State Government do hereby make the following rules, namely;-

1. Short title, extent and commencement.— (1) These rules may be called the Odisha Town Planning and Improvement Trust (Planning and Building Standards) Second Amendment Rules, 2025.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. In the Odisha Town Planning and Improvement Trust (Planning and Building Standards) Rules, 2021 (hereinafter referred to as the said rules), in rule 28,-

(a) after sub-rule (4), the following sub-rule shall be inserted, namely.—

“(4A). In the case of industrial buildings located outside of Urban Local Body areas, the minimum road width shall be 6.00 (six) meters.”

(b) after sub-rule (7), the following sub-rule shall be inserted, namely.—

“(8) IDCO shall be competent, in respect of such Special Planning Areas for

which IDCO has been declared as the Special Planning Authority, to exempt industrial buildings within IDCO allotted plots from the minimum road width requirement, provided such plots were allotted before the commencement of the Odisha Town Planning and Improvement Trust (Planning and Building Standards) Rules, 2021.”

3. In the said rules, in rule 30, in sub-rule (5),-

(a) for clause (i), the following clause shall be substituted, namely,—

“(i) For industrial buildings, flatted factories, IT- ITES buildings and commercial buildings, there shall be no limit on ground coverage:

Provided that such buildings shall continue to comply with other requirements set in these rules.”;

(b) after clause (vi), the following clause shall be inserted, namely.—

“(vii) For commercial buildings on plot size upto 5000 Sq.m, setback on one side which abuts the road shall be exempted except on the front side even if plot abuts multiple side roads:

Provided that, exemption of setback on the side abutting the road shall be available for only one side, even if multiple sides are abutting to the roads :

Provided further that, no entry or exit shall be provided on the side of the buildings to which the setback has been exempted.”

4. In the said rules, in rule 32,-

(a) for sub-rule (1), following sub-rule shall be substituted, namely.-

“(1) The Floor Area Ratio (F.A.R) for other than low risk buildings shall be decided on the basis of the road width on which the plot and site abuts as specified in Table No.5 below.”;

(b) for sub-rule (2), following sub-rule shall be substituted, namely.-

“(2) All low risk buildings shall be permitted without any FAR limitation.”

(c) after sub-rule (2), following sub-rule shall be inserted, namely.-

“(2A) In an approved layout, for other than low risk buildings, where maximum permissible FAR prescribed is 3.00 or above, FAR of 1.00 over and above the base FAR shall be available without the requirement of purchasable FAR or Transferrable Development Rights (TDR):

Provided that, this incentive shall not be available for regularised plots or plots sub-divided as per the provisions of Rule 119.”

5. In the said rules, in rule 34, in sub-rule (1),-

(a) for the Table No. 7, the following table shall be substituted, namely,—

Table No. 7: Off Street Parking Space for Different Category of Occupancies		
Sl. No.	Category of building/ activity	Parking area to be provided as percentage of total built-up area towards FAR
(a)	(b)	(c)
1	Multiplexes, Shopping Malls, Cinema Halls, Kalyan Mandaps, Banquet Halls, Auditorium, Stadium, Sports Complex, Convention Halls and clubs	40
2	Community Centres	30
3	Residential Apartment buildings, Housing Project, Guest Houses, Dharmasalas, Hostels, Work-cum-Residence, Lodging, Boarding, Hotels, Restaurants, Local Retail Shopping, Convenience Shopping, Banks, Commercial and Corporate Office, Mercantile Buildings like shops/stores/ market display and sale of mercantile either wholesale or retail stores, Gymnasium, Institutional, IT / ITeS buildings	25
4	Storage Godown.	20
5	Industrial Buildings	8

(b) In the note ,after clause (v), the following clauses shall be inserted namely, :-

“(vi) For industrial buildings, in addition to the parking area required as per Table 7, loading spaces shall be provided at the rate of one loading space per 1,000 square meters of floor area or part thereof and for the purpose of calculating the loading space requirement, the first 1,000 square meters of built-up area shall be exempted and each loading space shall have minimum dimensions of 3.5 meters x 7.5 meters. Provided that, in no case more than six loading spaces shall be required, regardless of the total floor area,

(vii) For flatted factories, in addition to the parking area required as per Table 7, loading spaces shall be provided at the rate of one loading space per 1,000 square meters of floor area or part thereof and each loading space shall have minimum dimensions of 3.5 meters x 7.5 meters. Provided that, in no case more

than 20 loading spaces shall be required, regardless of the total floor area; and
 (viii) Mandatory parking under Table No. 7 shall be exempted for industrial buildings on a plot size upto 300 Square meters within a plot allotted by IDCO and within industrial Estates.”

6. In the said rules, in rule 111,-

(a) In sub-rule (1), after clause (vii) the following note shall be inserted, namely,-

“Note: The sub-plots corresponding to open-space, common plot and road shall start with the prefix, OS, CP and RD respectively.”

(b) the sub-rule (2) shall be omitted.

7. In the said rules, in rule 113, for sub-rule (5), the following sub-rule shall be substituted, namely.-

“(5) all the internal roads of the layout shall be open ended up to the property line of the layout to provide accessibility to the adjoining plot.”

8. In the said rules, for rule 115, the following rule shall be substituted, namely.—

“115.Planning standards for reservation of land in sub-division layout.—

Reservation of land in the sub-division layout shall be in the following manner, namely:—

(i) For plots having area less than 0.4 hect,—

(a) all sub-divided plots shall be accessible by road having minimum width as mentioned in sub-rule (1) of rule 117;

(b) provision of plantation shall be given at the rate of minimum one tree per every 80 square meters of area covered under road.

(ii) For plots having area from 0.4 hectare to 2 (two) hectare,—

(a) the minimum reservation of land for open space and Common Plots for public utilities shall be 10 percent of the total area of the layout. Out of which, the applicant shall have to provide at least 5% open space and the remaining 5% shall be reserved for Common plots :

Provided that, the applicant shall have the option to deposit the cost equivalent to Benchmark Valuation (BMV) of the deficit percentage of the Common Plot area, if any, and the amount of such cost shall be deposited in CDP Infrastructure Development Fund (CIDF).

Note: Common plot for the minimum public utilities as required for the project such as space for electric substation, sewerage treatment plant, space for UGR or ESR for water supply, space for solid waste

management shall have to be provided in the layout.

(b) a public thoroughfare shall be provided on at least two sides of the land, as decided by Authority, within the layout to provide access to the adjacent land locked plots, if any, which will not have access otherwise;

(c) the owner or owners of land has to develop the access road to the site and storm water drain to the site as determined by the Authority:

Provided that the owner of the land will have the option to pay to Authority the cost of development of external access road and drain at the rates determined by the Authority in lieu of developing the same;

(d) provision of plantation shall be given at the rate of minimum one tree per every 80 square meters of area covered under road and open space; and such plantation shall be provided within the open space and roads leaving the carriageway.

(iii) For plots having area above 2 (two) Hectare,—

(a) the minimum reservation of land for open space shall be 12.5 percent of the total area of the layout.

(b) common plot for the minimum public utilities required for the project such as space for electric substation, sewerage treatment plant, space for UGR or ESR for water supply, space for solid waste management shall have to be provided in the layout.

(c) a public thoroughfare shall be provided on at least two sides of the land, as decided by Authority, within the lay out to provide access to the adjacent land locked plots, which will not have an access otherwise;

(d) the owner or owners of land has to develop the access road and storm water drain to the site as determined by the Authority:

Provided that, the owner or owners will have the option to pay to Authority the cost of development of external access road and drain at the rates determined by the Authority in lieu of developing the same;

(e) provision of plantation shall be given at the rate of minimum one tree per every 80 square meters of area covered under road and open space; and such plantation shall be provided within the open space and roads leaving the carriageway.”

9. In the said rules, for rule 116, the following rule shall be substituted, namely.—

“116.Reservation for Affordable Plots- (1) Every plot with area 0.4 hectare or more shall have reservation of land for smaller sized plots not less than 30 Square meters and not more than size of 100 square meters .

(2) For plots with area from 0.4 Ha to 1.0 Ha, at least 10% (ten percent) of saleable residential land shall be earmarked for providing smaller sized plots; and for plots with area above 1.0 Ha, at least 20% (twenty percent) of saleable residential land shall be earmarked for providing smaller sized plots.

(3) It is further provided that plots carved out for affordable plots in an approved layout shall not be amalgamated and/or sub-divided, unless they are proposed to be developed as a housing project consisting of dwelling with a carpet area of maximum 60 square meters.

(4) In cases, where the land for layouts is less than 2 (two) hectare and where affordable plots are not being provided in such layouts, the applicant shall pay a “shelter fee” equivalent to 25% (twenty-five percent) of the Benchmark Value of land that would have been reserved for such affordable plots.

Explanation: Affordable plots shall mean smaller sized plots with an area of not less than 30 Square meters and not more than 100 Square meters intended to make plots available with comparatively affordable price than larger sized plots.”

10. In the said rules , in the rule 117, in sub-rule (1), for clause (ii), the following clause shall be substituted, namely:—

“(ii) The width of the internal roads of a sub-division layout shall be as per the minimum standards for means of access specified under rule 28 of these Rules.”

11. In the said rules, rule 118 shall be omitted.

12. In the said rules, in rule 119,-

(a) for sub-rule (1), the following sub-rules shall be substituted, namely,-

“(1) For plots or Bye plots which are sub-divided amongst members of a family under relevant laws, the provisions made under sub-division layout shall not apply.

(1A) Without prejudice to any other law for the time being in force, any sub-division of revenue plot shall be allowed one time exemption from obtaining permission from the Authority, if the size of the sub-divided plot is less than 500 square meters and the same shall not be used for any real-estate project;

(1B) The exemption mentioned at sub-rule (1A) above shall also be applicable to sub-division made by the co-sharers with consent of all the co-sharers, and in such case the sum of such sub-divisions shall not exceed 500 square meters in total for

all the co-sharers and each individual co-sharer shall be allowed to sub-divide only such extent of land out of 500 square meters as may be proportionate to her or his share.

Explanation: The sub-division for the purpose of sub-rule (1B) may involve multiple sub-divisions and the total extent of land so sub-divided shall in no case cumulatively exceed 500 square meter.

(1C) Without prejudice to any other law for the time being in force, any revenue plot duly recorded during settlement or mutated or registered under the relevant provisions of law on or before the date of notification of these Rules shall be allowed exemption from obtaining approval for sub-division layout, if the size of the plot is less than 500 Square meters .

(1D) For the purpose of undertaking development over such subdivided plots created under sub-rule (1A) to (1C) above, all other provisions related to means of access and zoning regulations shall be complied with and shall conform to the OTP & IT (P & BS) Rules, 2021, as amended from time to time.

(1E) The provisions made under sub-division layout shall not apply to the plots or bye-plots, which are recorded under agricultural kism and there is no change in the kism after the sub-division and such plots are intended to be utilised solely for agricultural purposes.";

(b) after sub-rule (3) the following sub-rule shall be inserted, namely.—

“(4) Reservation of Open space in sub-divisional layout plan shall not be necessary in cases of further subdivision of Final plot(s) in a Town Planning Scheme prepared by the Authority;”.

13. In the said rules, in rule 122, after sub-rule (4), following sub-rule shall be inserted namely:-

"(5) Wherever, any fee prescribed under these rules is calculated basing on the Bench Mark Value of the plot, the Bench Mark Value downloaded from the official website of the Inspector General of Registration (IGR), Odisha and self attested by the applicant/developer, shall be considered for calculation of such fee."

14. In the said rules, in rule 123, sub-rules (2) and (5) shall be omitted.

15. In the said rules, after rule 140, following rules shall be inserted, namely,—

“140A. Regularisation of unauthorised sub-plots.- (1) Subject to fulfilment of other conditions for regularisation prescribed under sub-rule (2) below, where any plot sub-divided into sub-plot(s) unauthorisedly shall be considered for regularisation through compounding, if the following conditions, are satisfied.-

- (i) The minimum width of the access road to the sub-plot shall be 6.0 meter.
- (ii) The applicant shall deposit land compounding fee basing on the abutting road width and size of the plot as prescribed in the Table No.22 below alongwith all other applicable fee prescribed for sub-divisional Layout.-

Table No.24: Charges of Compounding fee for unauthorized sub-plot			
Sl. No.	Abutting road width (in meters)	Plot size (in Sq.m)	Compounding Fee in percentage of Bench Mark Value of the sub-plot
(a)	(b)	(c)	(d)
1	6.0 meter	More than 500 Sq.m	10%
2	6.0 meter	Upto 500 Sq.m	5%

(iii) Application for building plan approval over the regularized sub-plot shall be considered in accordance with the land-use specified in the Development Plan and the Planning and Building Standards rules or regulations, in operation and such other provisions applicable at the time of such application:

Provided that, if the size of the regularised plot is not more than 500 square meters, the height of the building is not more than 10 meters and without a basement, then the setback and Floor Area Ratio prescribed for Low Risk Building shall also be applicable to such regularised plot(s).

(2) No unauthorized layouts and sub-divided plots within the unauthorized layouts shall be regularized in the following cases:—

- (i) Within zones or areas prohibited under any Central or State Government Act, Rules and regulations in force, except in such cases where regularization can be permitted in accordance with the provisions of such laws;
 - (ii) Where the proposed use of the land which has been sub-divided without permission, is not in conformity with the Development Plan or recommendation of the authority;
 - (iii) Where the open space earmarked in an approved layout has been sub-divided and sold and or transferred; and
 - (iv) Where the regularization of the unauthorized layout in the opinion of the Planning Authority or Government will affect public interest and safety.
- (3) Cases regularised under rule 90 A, prior to notification of these rules shall not be reopened and there shall not be any refund of compounding fees collected for regularisation of such cases.

(4) In case of approval of building plan over the exempted sub-plots not exceeding 500 square meters, the applicant shall submit an undertaking in shape of affidavit that the said sub-divided plot has been sub-divided under the provisions of rule 87.

(5) Nothing in sub-rule (1) shall affect the Schemes for regularization of unauthorized sub-plots or layouts notified vide Gazette no. 1034, dated the 30th May, 2017 and such matters shall be considered for regularisation as per the provisions of the aforesaid Scheme;

140B.Exemption from payment of Compounding Fees:- IDCO shall be competent, in respect of such Special Planning Areas for which IDCO has been declared as the Special Planning Authority, to exempt industrial buildings from payment of any compounding fees, if the construction is within the limits prescribed under sub-rule (3) of rule 138.”

By Order of the Governor

USHA PADHEE

Principal Secretary to Government